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*Attorneys Defendants*  
*James Cox, Dustin Shorter, Rita Little,*  
*Renee Baker and Luis Lopez*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

LAUSTEVEION JOHNSON,  
  
Plaintiff,  
  
vs.  
  
RITA LITTLE, et al.,  
  
Defendants.

CASE NO. 2:14-cv-00649-RFB-VCF  
  
**MOTION FOR EXTENSION OF  
TIME TO FILE MOTIONS FOR  
SUMMARY JUDGMENT**  
  
**(SECOND REQUEST)**

Defendants James Cox, Dustin Shorter, Rita Little, Renee Baker and Luis Lopez, by and through counsel, ADAM PAUL LAXALT, Nevada Attorney General, and ERIC N. TRAN, Deputy Attorney General, of the State of Nevada, Office of the Attorney General, hereby submit this Motion for Extension of Time to File Motions for Summary Judgment (Second Request).

DATED this 18th day of September, 2015.

Respectfully submitted,

ADAM PAUL LAXALT  
Nevada Attorney General

By: /s/ Eric N. Tran  
ERIC N. TRAN  
Deputy Attorney General  
*Attorneys for Defendants*

**MEMORANDUM OF POINTS AND AUTHORITIES**

This is a civil rights action filed by Plaintiff Lausteveion Johnson ("Plaintiff"), an inmate in the custody of the Nevada Department of Corrections ("NDOC"). Plaintiff's Civil Rights Complaint, filed on June 5, 2014, alleges that Defendants violated Plaintiff's First and Fourteenth Amendment rights to free exercise of religion, access to the courts, and equal protection. *Id.*

On April 22, 2015, this Court issued a Scheduling Order stating that Motions for Summary Judgment must be filed and served by August 20, 2015. Dkt. # 27. On August 20, 2015, this Court extended the deadline to file motions for summary judgment to September 21, 2015. Dkt. # 35.

Defendants' counsel has been working diligently to complete a motion for summary judgment by the September 21, 2015 deadline. However, as stated in Defendants' previous motion for extension of time, three Senior Deputy Attorneys General recently left the Office of the Attorney General. As a result of these recent departures, Defendants' counsel was assigned to take over a significant number of the departing Senior Deputy Attorneys' General active cases. While the Office of the Attorney General has hired two additional Deputy Attorneys General as of today's date, these new Deputy Attorneys General have not had an opportunity to become familiar with the cases sufficient to assume the day to day responsibilities of these cases. As such, Defendants' counsel has continued to assume the responsibility of the majority of cases left by the departing Senior Deputy Attorneys General.

In addition, Defendants' counsel's dispositive motions calendar in other cases has affected Defendants' counsel's ability to file a motion for summary judgment in this case by the September 21, 2015 deadline. For example, Defendants' counsel had a Motion for Summary Judgment in *Clemons v. Williams*, 13-cv-00093-RFB-NJK due on September 14, 2015; an Opposition to Plaintiff's Motion for Summary Judgment in *Johnson v. Little*, 14-cv-00649-RFB-VCF due on September 10, 2015; a Motion for Summary Judgment in *Campbell v. Cox*, 13-cv-02303-JAD-NJK due on August 31, 2015; a Reply in Support of a Motion for Summary Judgment in *Woods v. Brown*, 13-cv-01029-APG-NJK that was due on September

8, 2015; a Motion for Summary Judgment in *Richard v. Cox*, 2:12-cv-1236-GMN-CWH that was due on September 14, 2015; and a Motion for Summary Judgment in *Kern v Stroud*, 2:13-cv-02227-RFB-NJK, due on September 23, 2015.

Further, Defendants' counsel has been out of the office from September 15, 2015 through September 18, 2015 on a mandatory four day trial training for the Office of the Attorney General. Defendants' counsel will also be out of town on a family matter from September 19, 2015 to September 21, 2015.

These events, coupled with the fact that Defendants' counsel just recently fully recovered from his back injury, have significantly impacted Defendants' counsel's ability to file a motion for summary judgment by the September 21, 2015, deadline. As such, Defendants request an additional 30 days up to and until October 21, 2015, to file a motion for summary judgment.

FRCP 6 (b)(1) states that "[w]hen an act may or must be done within a specified time, the court may, for good cause, extend the time . . . if a request is made, before the original time or its extension expires."

Based on the foregoing, Defendants request an additional 30-day extension of time from the present deadline up to October 21, 2015, to file a motion for summary judgment.

DATED this 18th day of September, 2015.

Respectfully submitted,

ADAM PAUL LAXALT  
Nevada Attorney General

By: /s/ Eric N. Tran  
ERIC N. TRAN  
Deputy Attorney General  
*Attorneys for Defendants*

IT IS SO ORDERED:



RICHARD F. BOULWARE, II  
United States District Judge

DATED this 22nd day of September, 2015.

**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of the State of Nevada, Office of the Attorney General, and that on the 18th day of September, 2015, I served the foregoing, **MOTION FOR EXTENSION OF TIME TO FILE MOTIONS FOR SUMMARY JUDGMENT (SECOND REQUEST)**, by causing a true and correct copy thereof to be filed with the Clerk of the Court, using the electronic filing system, and by causing a true and correct copy thereof to be delivered to the Department of General Services, for mailing at Las Vegas, Nevada, addressed to the following:

Lausteveion Johnson, #82138  
High Desert State Prison  
P.O. Box 650  
Indian Springs, Nevada 89070  
*Plaintiff, Pro Se*

/s/ Diane Q. Resch  
\_\_\_\_\_  
An employee of:  
STATE OF NEVADA  
OFFICE OF THE ATTORNEY GENERAL

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